

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Alberto Rios,

Civil No. 10-CV-4020(PJS/TNL)

Petitioner,

v.

ORDER

Warden Scott Peter Fisher,

Respondent.

Alberto Rios, #12930-078, FCI, POB 1000, Sandstone, MN 55072, (PRO SE Petitioner); and
D. Gerald Wilhelm and Gregory G. Brooker, Assistant United States Attorneys, 600 United
States Courthouse, 300 South Fourth Street, Minneapolis, MN 55415 (for Respondent).

Based upon the Report and Recommendation by United States Magistrate Judge Tony N.
Leung dated June 19, 2012 (Docket No.12), along with all the files and records, and no
objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that the
Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 by a Person in Federal
Custody (Docket No. 1) is **DISMISSED WITHOUT PREJUDICE**:

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: July 10, 2012

s/Patrick J. Schiltz

The Honorable Patrick J. Schiltz
United States District Court Judge
for the District of Minnesota